

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

ALLIANCE FOR OPEN SOCIETY
INTERNATIONAL, INC. *et al.*,

Plaintiffs,

DECLARATION OF
REBEKAH DILLER

-against-

UNITED STATES AGENCY FOR
INTERNATIONAL DEVELOPMENT, *et al.*

Defendants.

I, REBEKAH DILLER, hereby declare as follows:

1. I am a Deputy Director of the Justice Program at the Brennan Center for Justice at NYU School of Law, which represents the Plaintiffs in the above-captioned case. I am admitted to practice before the bar of the State of New York, the United States District Courts for the Southern District of New York and the Eastern District of New York, and the United States Court of Appeals for the Second Circuit.

2. Plaintiffs submit this declaration to enter exhibits into evidence in support of the Plaintiffs' Motion for Leave to File A Second Amended Complaint and Motion by Global Health Council and InterAction for a Preliminary Injunction.

DESCRIPTION OF EXHIBITS

3. Attached as Exhibit A is the proposed Second Amended Complaint, dated February 8, 2008.

4. Attached as Exhibit B is a United States Agency for International Development ("USAID") directive entitled "Acquisition & Assistance Policy Directive

05-04 Amendment 1,” issued July 23, 2007 and available at the following URL:

http://www.usaid.gov/business/business_opportunities/cib/pdf/aapd05_04_amendment1.pdf (last accessed February 5, 2008).

5. Attached as Exhibit C is a United States Department of Health and Human Services (“HHS”) notice entitled “Guidance Regarding Section 301(f) of the United States Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003,” published at 72 Fed Reg. 41,076 (July 26, 2007).

6. Attached as Exhibit D is a document entitled “Detailed Information on the USAID’s Development Assistance for Sub-Saharan Africa Assessment” from the White House’s website that I printed on February 5, 2008 from the following URL:

<http://www.whitehouse.gov/omb/expectmore/detail/10004603.2005.html>.

7. Attached as Exhibit E is a document entitled “Detailed Information on the President’s Emergency Plan for AIDS Relief: Focus Countries Assessment” from the White House’s website that I printed on February 5, 2008 from the following URL:

<http://www.whitehouse.gov/omb/expectmore/detail/10004619.2005.html>.

8. Attached as Exhibit F is a USAID document entitled “ADS Chapter 303 Grants and Cooperative Agreements to Non-Government Organizations” that was last updated by USAID on January 30, 2007 and that I printed on February 5, 2008 from the following URL: <http://www.usaid.gov/policy/ads/300/303.pdf>.

I declare under penalty of perjury that the foregoing is true and correct.

February 7, 2008
New York, New York


REBEKAH DILLER (RD 7791)